

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

CCO-067

No. 20-2664 & 20-2672

WILLIAM DECKARD, SR.,  
Appellant

v.

STEVEN EMORY; ESTATE OF KATHLEEN EMORY, STEVEN EMORY,  
EXECUTOR; LINDA HEE, ESQUIRE; JANE'S AND JOHN'S DOE 1 TO 18;  
SOLE PROPRIETORSHIP('S), PARTNERSHIP('S), CORPORATION('S),  
LLC('S) AND LLP('S) 1 THROUGH 15

(E.D. Pa. Nos. 2-17-cv-05182 & 2-19-cv-02001)

Present: RESTREPO, MATEY and SCIRICA, Circuit Judges

1. Clerk's Submission for Possible Dismissal Due to Jurisdictional Defect.
2. Response by Appellee Linda Hee in No. 20-2664 to Clerk Order advising of possible dismissal.
3. Response by Appellee David Grunfeld in No. 20-2664 to Clerk Order advising of possible dismissal.
4. Response by Appellee Daniel J. Dugan in No. 20-2664 to Clerk Order advising of possible dismissal.
5. Response by Appellee Drew Salaman in No. 20-2664 to Clerk Order advising of possible dismissal.
6. Response by Appellees Aclaim Adjustment Agency, Inc. and George Pagano in No. 20-2672 to Clerk Order advising of possible dismissal.
7. Response by Appellees Michael Danilla, Penn National Security Insurance Company, and Pennsylvania National Mutual Casualty Insurance Company in No. 20-2672 to Clerk Order advising of possible dismissal.
8. Response by Appellee Citizens Bank, N.A. in No. 20-2672 to Clerk Order advising of possible dismissal.

9. Response by Appellee Worldpay in No. 20-2672 to Clerk Order advising of possible dismissal.

Respectfully,  
Clerk/JK

ORDER

The foregoing appeals are dismissed for lack of appellate jurisdiction. It is undisputed that claims remain pending in both District Court actions. Accordingly, no appealable final decision has been entered for purposes of 28 U.S.C. § 1291. Morton International, Inc. v. A.E. Staley Manufacturing Company, 460 F.3d 470, 476 (3d Cir. 2006) (generally, a “final decision” is one that ends the litigation on the merits and leaves nothing for the court to do but execute the judgment). In addition, Appellant did not move for, and the District Court did not grant, permission to pursue an immediate appeal under Fed. R. Civ. P. 54(b) in either case. Absent such a certification, the Court cannot review the July 13, 2020 order at this time.

By the Court,

s/ Paul B. Matey  
Circuit Judge

Dated: May 14, 2021  
JK/cc: All Counsel of Record



A True Copy:

*Patricia S. Dodszeit*

Patricia S. Dodszeit, Clerk  
Certified Order Issued in Lieu of Mandate